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15 | Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

20 JOHN ARMSTRONG, et al.

Case No. C94 2307 CW

21 || Plaintiffs.

**STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FOURTH QUARTER OF
2022**

23 | GAVIN NEWSOM et al

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
 2 are to collect periodic attorneys' fees and costs in this case in connection with their work
 3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on January 24, 2023, Plaintiffs served on Defendants
 5 their Fourth Quarterly Statement for 2022 by electronic transmission. The parties
 6 completed their meet-and-confer process on March 11, 2023 as to the fees and costs
 7 incurred on all matters.

8 As a result of the March 11, 2023 agreement, the parties agree to the following:

9 The parties agree to the payment of \$2,712,947.10 to resolve all fees and costs
 10 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
 11 the California Department of Corrections of Rehabilitation Division of Adult Operations
 12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
 13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
 14 the parties to settle these claims.

15 The parties agree to the payment of \$174,906.35 to resolve all fees and costs
 16 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
 17 the Board of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are
 18 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
 19 the parties to settle these claims.

20 The parties agree to the payment of \$168,219.40 to resolve all fees and costs
 21 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
 22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
 23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
 24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$31,229.55 to resolve all fees and costs incurred
 26 during the Fourth Quarter of 2022, for fees work. Attached hereto as **Exhibit D** are charts
 27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
 28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from February 23, 2023, accruing at the rate provided by 28 U.S.C.
4 § 1961.

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6 DATED: March 17, 2023



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Claudia Wilken
United States District Judge

APPROVED AS TO FORM:

DATED: March 16, 2023

/s/Sharon Garske

Sharon Garske
Supervising Deputy Attorney General
Attorney for Defendants

DATED: March 16, 2023

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$2,649,072.84	\$63,874.26
TOTAL UNDISPUTED:		\$2,712,947.10

Armstrong v. Newsom

Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2022	<u>Fees Now Owing Based On Negotiated Compromise</u>	
	Hours	Hours	Rates	Total	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	5.00	4.80	\$1,400	\$6,720.00	\$6,468.00
Gay C. Grunfeld (GCG)	36.60	36.60	\$1,000	\$36,600.00	\$35,227.50
Penny Godbold (PG)	358.60	358.60	\$800	\$286,880.00	\$276,122.00
Thomas Nolan (TN)	248.50	237.40	\$825	\$195,855.00	\$188,510.44
Michael L. Freedman (MLF)	207.70	205.40	\$750	\$154,050.00	\$148,273.13
Ben Bien-Kahn (BBK)	130.30	128.60	\$725	\$93,235.00	\$89,738.69
Kara J. Janssen (KJJ)	0.40	0.00	\$700	\$0.00	\$0.00
Caroline E. Jackson (CEJ)	114.70	110.60	\$650	\$71,890.00	\$69,194.13
Michael S. Nunez (MSN)	43.10	35.00	\$675	\$23,625.00	\$22,739.06
Cara E. Trapani (CET)	0.30	0.00	\$550	\$0.00	\$0.00
Mark Shinn-Krantz (MSK)	0.60	0.00	\$550	\$0.00	\$0.00
Priyah Kaul (PK)	17.70	17.70	\$575	\$10,177.50	\$9,795.84
Eric Monek Anderson (EMA)	250.80	250.50	\$500	\$125,250.00	\$120,553.13
Hannah Chartoff (HC)	62.20	62.20	\$425	\$26,435.00	\$25,443.69
Adrienne Harrold (AH)	72.60	67.70	\$425	\$28,772.50	\$27,693.53
Karen Stilber (KES)	89.30	88.20	\$400	\$35,280.00	\$33,957.00
F. Gail LaPurja (FGL)	5.60	0.00	\$375	\$0.00	\$0.00
Greg Gonzalez (GZG)	11.30	7.50	\$375	\$2,812.50	\$2,707.03
Nathalie Welch (NW)	8.30	6.60	\$300	\$1,980.00	\$1,905.75
Fely F. Villadelgado (FFV)	104.50	0.00	\$300	\$0.00	\$0.00
Adam Dean (ADD)	148.30	145.00	\$300	\$43,500.00	\$41,868.75
Sanjana Srinivasan (SS)	11.30	11.30	\$300	\$3,390.00	\$3,262.88
Yesi Murillo (YM)	14.00	13.10	\$300	\$3,930.00	\$3,782.63
Ellen T. Brancart (ETB)	9.60	9.60	\$260	\$2,496.00	\$2,402.40
Sarah A. Corkum (SAC)	32.00	30.40	\$260	\$7,904.00	\$7,607.60
Teya Khalil (TK)	31.50	31.50	\$260	\$8,190.00	\$7,882.88
Emma Lower (ERL)	374.50	358.90	\$260	\$93,314.00	\$89,814.73
Lindsay Newfeld (LHN)	251.40	244.10	\$260	\$63,466.00	\$61,086.03
Hannah Potter (HP)	23.40	21.60	\$260	\$5,616.00	\$5,405.40
Amit Rao (AR)	369.50	294.60	\$260	\$76,596.00	\$73,723.65
Megan Rich (MTR)	209.60	193.40	\$260	\$50,284.00	\$48,398.35
Averi Suk (ADS)	364.10	331.60	\$260	\$86,216.00	\$82,982.90
Julie de Vaulx (JDV)	14.50	14.50	\$260	\$3,770.00	\$3,628.63
Luke Weitzenberg (LRW)	27.80	27.80	\$260	\$7,228.00	\$6,956.95
Isabel Ting (IT)	5.60	0.00	\$260	\$0.00	\$0.00
RBGG FEES:	Total Hours: 3,655.20	3,344.80		\$1,555,462.50	\$1,497,132.66
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	5.10	5.10	\$1,100	\$5,610.00	\$5,399.63
Rita Lomio (RL)	297.80	297.80	\$725	\$215,905.00	\$207,808.56
Margot Mendelson (MM)	49.40	49.40	\$700	\$34,580.00	\$33,283.25
Tess Borden (TB)	187.90	187.90	\$550	\$103,345.00	\$99,469.56
Jacob Hutt (JH)	274.00	274.00	\$475	\$130,150.00	\$125,269.38
Patrick Booth (PB)	136.50	136.50	\$400	\$54,600.00	\$52,552.50
Sophie J. Hart (SJH)	11.90	11.90	\$475	\$5,652.50	\$5,440.53
Amber Norris (AN)	130.30	130.30	\$400	\$52,120.00	\$50,165.50
Claudia Cesena (CS)	160.00	160.00	\$400	\$64,000.00	\$61,600.00
A.D. Lewis (ADL)	37.10	37.10	\$350	\$12,985.00	\$12,498.06
Tania Amarillas (TA)	170.70	170.70	\$350	\$59,745.00	\$57,504.56
Tovah Anna Ackerman (TAA)	109.50	109.50	\$350	\$38,325.00	\$36,887.81
Gabriela Pelsinger (GP)	188.10	188.10	\$350	\$65,835.00	\$63,366.19
Skye Lovett (SL)	374.10	374.10	\$325	\$121,582.50	\$117,023.16
Alondra Diaz-Saavedra	43.00	43.00	\$300	\$12,900.00	\$12,416.25
Audrey Lim (AL)	80.80	80.80	\$300	\$24,240.00	\$23,331.00
Dewi Zarni (DZ)	57.30	57.30	\$300	\$17,190.00	\$16,545.38
Ilian Meza Pena (IP)	75.80	75.80	\$300	\$22,740.00	\$21,887.25
Isabela Avila Breach (IAB)	182.80	182.80	\$300	\$54,840.00	\$52,783.50
Joanna Cardenas (JC)	215.00	215.00	\$300	\$64,500.00	\$62,081.25
Sophie Mishara (SM)	119.10	119.10	\$300	\$35,730.00	\$34,390.13
PLO FEES:	Total Hours: 2,906.20	2,906.20		\$1,196,575.00	\$1,151,703.44
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Case Clerk (H. Min)	1.20	1.20	\$205	\$246.00	\$236.75
DREDF FEES:	Total Hours: 1.20	1.20		\$246.00	\$236.75
TOTAL CDCR/AOAP MONITORING FEES:				\$2,752,283.50	\$2,649,072.84

Armstrong v. Newsom
 Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Costs

Matter: CDCR/AOAP Merits/Monitoring

	<u>Costs</u>	Costs Now Owing
	<u>Based on Negotiated Compromise</u>	
Rosen, Bien, Galvan & Grunfeld (581-3)		
Photocopying (In house)	\$860.40	\$828.14
Photocopying/printing (Outside)	\$2,253.24	\$2,168.74
Server storage/data hosting	\$403.00	\$387.89
Expert Services	\$17,575.80	\$16,916.71
Transcription and Translation	\$598.03	\$575.60
Online Research - PACER, Westlaw, State courts	\$835.06	\$803.75
Postage & Delivery	\$638.44	\$614.50
Telephone	\$1.80	\$1.73
Travel - Mileage, Tolls, Food	\$15,971.65	\$15,372.71
Credit	(\$27.28)	(\$27.28)
Total RBGG Costs:	\$39,110.14	\$37,642.49
Prison Law Office		
Transcription and translation	\$5,393.52	\$5,191.26
SLI Interpreter Services	\$8,617.61	\$8,294.45
Travel - Mileage, Tolls, Food	\$11,491.54	\$11,060.61
Postage & Delivery	\$1,664.44	\$1,602.02
Total PLO Costs:	\$27,167.11	\$26,148.34
Disability Rights Education & Defense Fund, Inc.		
Photocopying (in-house)	\$74.80	\$72.00
Postage & Delivery	\$11.88	\$11.43
Total DREDF Costs:	\$86.68	\$83.43
TOTAL CDCR/AOAP MERITS/MONITORING COSTS:	\$66,363.93	\$63,874.26

EXHIBIT B

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$173,497.84	\$1,408.50
TOTAL UNDISPUTED:		\$174,906.35

Armstrong v. Newsom

Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2022	Fees Now Owing Based On Negotiated Compromise	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>		
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.50	0.50	\$1,400	\$700.00	
Gay C. Grunfeld (GCG)	2.5	2.5	\$1,000	\$2,500.00	
Thomas Nolan (TN)	62.60	60.50	\$825	\$49,912.50	
Penny Godbold (PG)	15.60	15.60	\$800	\$12,480.00	
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$725	\$0.00	
Caroline E. Jackson (CEJ)	59.40	55.30	\$650	\$35,945.00	
Eric Monek Anderson (EMA)	0.10	0.00	\$500	\$0.00	
Hannah Chartoff (HC)	28.10	28.10	\$425	\$11,942.50	
F. Gail LaPurja (FGL)	0.10	0.00	\$375	\$0.00	
Nathalie Welch (NW)	57.80	55.90	\$300	\$16,770.00	
Adam Dean (AD)	1.80	0.00	\$300	\$0.00	
Hannah Potter (HAP)	10.00	8.00	\$260	\$2,080.00	
Amit Rao (AR)	3.90	0.00	\$260	\$0.00	
	Total Hours:	242.60	226.40		
RBGG FEES:			\$132,330.00	\$127,367.63	
<u>PRISON LAW OFFICE</u>					
Donald Specter	0.8	0.8	\$1,100	\$880.00	
Sara Norman (SN)	1.2	1.2	\$900	\$1,080.00	
Rita Lomio (RL)	6.6	6.6	\$725	\$4,785.00	
Rana Anabtawi (RA)	47.2	47.2	\$700	\$33,040.00	
Jacob Hutt (JH)	12.9	12.9	\$475	\$6,127.50	
Patrick Booth (PB)	0.4	0.4	\$400	\$160.00	
Tania Amarillas (TA)	5.3	5.3	\$350	\$1,855.00	
	Total Hours:	68.30	68.30		
PLO FEES:			\$47,927.50	\$46,130.22	
TOTAL FEES FOR BPH WORK:			\$180,257.50	\$173,497.84	

Armstrong v. Newsom
 Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Costs

Matter: BPH

	<u>Costs</u>	<u>Costs Now Owing</u>	
		<u>Based on Negotiated</u>	<u>Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>			
Transcription and Translation		\$49.88	\$48.01
Westlaw research		\$1,151.77	\$1,108.58
Travel - Mileage, Tolls, Food		\$1,201.65	\$1,156.59
	Total RBGG Costs:		
<u>Prison Law Office</u>			
Travel - Mileage, Tolls, Food		\$261.73	\$251.92
	Total PLO Costs:	\$261.73	\$251.92
	TOTAL BPH COSTS:	\$1,463.38	\$1,408.50

EXHIBIT C

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$167,099.14	\$1,120.26
TOTAL UNDISPUTED:		\$168,219.40

Armstrong v. Newsom

Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2022	Fees Now Owing Based On Negotiated Compromise	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.50	1.50	\$1,400	\$2,100.00	\$2,021.25
Gay C. Grunfeld (GCG)	2.70	2.70	\$1,000	\$2,700.00	\$2,598.75
Ernest Galvan (EG)	0.10	0.00	\$950	\$0.00	\$0.00
Penny Godbold (PG)	8.60	8.60	\$800	\$6,880.00	\$6,622.00
Thomas Nolan (TN)	22.00	22.00	\$825	\$18,150.00	\$17,469.38
Michael L. Freedman (MLF)	0.40	0.00	\$750	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	20.10	19.90	\$725	\$14,427.50	\$13,886.47
Caroline E. Jackson (CEJ)	7.80	7.60	\$650	\$4,940.00	\$4,754.75
Priyah Kaul (PK)	14.70	14.70	\$575	\$8,452.50	\$8,135.53
Marc Shinn-Krantz (MSK)	0.20	0.00	\$550	\$0.00	\$0.00
Eric Monek Anderson (EMA)	20.00	20.00	\$500	\$10,000.00	\$9,625.00
Adrienne Harrold (AH)	74.40	71.30	\$425	\$30,302.50	\$29,166.16
Hannah Chartoff (HC)	26.20	26.20	\$425	\$11,135.00	\$10,717.44
Nathalie Welch (NCW)	186.80	185.00	\$300	\$55,500.00	\$53,418.75
Amit Rao (AR)	47.70	34.70	\$260	\$9,022.00	\$8,683.68
Total Hours:	433.20	414.20			
RBGG FEES:				\$173,609.50	\$167,099.14
TOTAL FOR DAPO MONITORING					
WORK:				\$173,609.50	\$167,099.14

Armstrong v. Newsom
 Fourth Quarterly Statement of 2022
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Costs

Matter: DAPO Monitoring

	<u>Costs</u>	<u>Costs Now Owing Based on Negotiated Compromise</u>
Rosen, Bien, Galvan & Grunfeld (581-9)		
Photocopying (in-house)	\$92.20	\$88.74
Postage & Delivery	\$156.81	\$150.93
Long distance and videophone charges	\$1.55	\$1.49
Travel - Mileage, Tolls, Food	\$1,025.48	\$987.02
Refunds	(\$107.93)	(\$107.93)
	Total RBGG Costs:	\$1,168.11
	TOTAL DAPO MONITORING COSTS:	\$1,168.11
		\$1,120.26

EXHIBIT D

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$31,172.97	\$56.59
TOTAL UNDISPUTED:	\$31,229.55	

Armstrong v. Newsom

Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Matter: All Matters Fees Work

Fees (581-2)	Actual	Claimed	2022	Fees Now Owing Based On Negotiated Compromise	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	20.10	20.00	\$1,000	\$20,000.00	\$19,250.00
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$950	\$0.00	\$0.00
Karen E. Stilber (KES)	13.60	13.60	\$400	\$5,440.00	\$5,236.00
Total Hours:	33.80	33.60		\$25,440.00	\$24,486.00
RBGG FEES:					
<u>PRISON LAW OFFICE</u>					
Rita Lomio (RL)	1.20	1.20	\$725	\$870.00	\$837.38
Margot Mendelson (MKM)	3.80	3.80	\$700	\$2,660.00	\$2,560.25
Ashley Kirby (AK)	8.00	8.00	\$250	\$2,000.00	\$1,925.00
Total Hours:	13.00	13.00		\$5,530.00	\$5,322.63
PLO FEES:					
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	1.50	1.50	\$945	\$1,417.50	\$1,364.34
Total Hours:	1.50	1.50		\$1,417.50	\$1,364.34
DREDF FEES:					
TOTAL FEES FOR ARMSTRONG FEES WORK:				\$32,387.50	\$31,172.97

Armstrong v. Newsom
 Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Costs

Matter: Fees Work in All Matters

	<u>Costs</u>	Costs Now Owing
		<u>Based on Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>		
Pacer	\$0.80	\$0.77
Postage & Delivery	\$57.99	\$55.82
Total RBGG Costs:	\$58.79	\$56.59
TOTAL FEES WORK COSTS :	\$58.79	\$56.59